## ORIGINAL



#### RECEIVED

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Attorneys for Coronado Utilities, Inc.

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#### BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE APPLICATION OF CORONADO UTILITIES, INC. FOR A DETERMINATION OF THE FAIR VALUE OF ITS UTILITY PLANT AND PROPERTY AND FOR INCREASES IN ITS RATES AND CHARGES FOR UTILITY SERVICE BASED THEREON.

DOCKET NO: SW-04305A-09-0291

NOTICE OF FILING CERTIFICATION OF PUBLICATION AND PROOF OF MAILING

Pursuant to the Procedural Order dated July 24, 2009, Coronado Utilities, Inc. (the "Company") hereby files this Notice of Filing Certification of Publication and Proof of Mailing in the above-captioned matter.

On September 1, 2009, the Company mailed to its residential and commercial customers the public notice regarding the hearing set for March 23, 2010 on the Company's application for a permanent rate increase. The affidavit of Kay Reynolds, Bookkeeper for the Company, is attached hereto as **Exhibit A.** 

On September 16, 2009, notice regarding the hearing set for March 23, 2010 was published in the *San Manuel Miner*. The affidavit of James Carnes, Agent to the Publisher of the *San Manuel Miner*, is attached hereto as **Exhibit B**.

RESPECTFULLY SUBMITTED this 5th day of October, 2010.

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Arizona Corporation Commission

DOCKETED

OCT 5 2010

DOCKETED BY

FENNEMORE CRAIG, P.C.

Jay L. Shapiro

3003 North Central Avenue, Suite 2600

Phoenix, Arizona 85012

Attorneys for Coronado Utilities, Inc.

FENNEMORE CRAIG
A PROFESSIONAL CORPORATION
PHOENIX

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2	ODYODIAL 110 C. C.
3	ORIGINAL and 13 copies of the foregoing filed this 5th day of October, 2010 with:
4	Docket Control
5	Arizona Corporation Commission 1200 West Washington Street Phoenix, Arizona 85007
6	COPY of the foregoing emailed/mailed
7	this 5th day of October, 2010 to:
8	Jane L. Rodda Administrative Law Judge
9	Hearing Division
10	Arizona Corporation Commission 400 West Congress
11	Tucson, Arizona 85710-1347
12	COPY of the foregoing hand-delivered this 5th day of October, 2010 to:
13	Ayesha Vohra, Esq.
14	Legal Division Arizona Corporation Commission
15	1200 W. Washington Phoenix, Arizona 85007-2927
16	By Maria san fre
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## Exhibit A

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PHOENIX

#### AFFIDAVIT OF KAY REYNOLDS

Kay Reynolds, being duly sworn, deposes and says:

- I work in the City and County of Denver, Colorado, am over 18 years of age, and 1. make this affidavit based on my own personal knowledge.
- I am Bookkeeper for Pivotal Utility Management LLC, which manages and 2. operates Coronado Utilities, Inc. ("Coronado Utilities" or "Company").
- Pursuant the Procedural Order, dated July 24, 2009 and filed July 29, 2009, on 3. September 1, 2009 Coronado Utilities mailed to its residential and commercial customers the public notice regarding the hearing set to begin on March 23, 2010 on the Company's application for a permanent rate increase. A copy of the notice is attached hereto as Exhibit 1.
- Attached as Exhibit 2 is a Funds Report, which indicates that a batch count of 1,265 pieces of mail, less those bills to terminated customers who did not receive the notice, for a total of 1,252 bills, were mailed with the notice. However, as several customers own multiple properties served by Coronado Utilities, a grand total of 1,310 service addresses were notified of the hearing to be held in connection with the Company's application.
- In accordance with the Procedural Order, Coronado Utilities submits this affidavit 5. of mailing.

SUBSCRIBED and sworn to before me this / day of September, 2009

My Commission Expires:

nmission Expires 11/20/2011

2234713.1/12923.003

## Exhibit 1

# PUBLIC NOTICE OF HEARING ON THE APPLICATION OF CORONADO UTILITIES, INC. FOR A RATE INCREASE FOR SEWER SERVICE (DOCKET NO. SW-04305A-09-0291)

#### Summary

On June 3, 2009, Coronado Utilities, Inc. ("Coronado" or "Company") filed with the Arizona Corporation Commission ("Commission") an application for an increase in revenues for sewer service in the above-captioned docket.

Coronado is requesting an increase in its sewer utility revenues of \$156,498, an increase of 17.71 percent. Coronado is proposing to increase the Residential rate from \$46.50 per month to \$54.73 per month, an increase of \$8.23, or 17.6 percent. The Company's proposed rates for its Commercial, Mobile Home and School customer classes include a monthly customer charge and a charge based on the volume of water used. The Company proposes to increase both the monthly charge and the volumetric charge for each of these customer classes, and the effect on an individual customer will depend on usage. As an example, the Company estimates that for a commercial customer using an average of 7,608 gallons, the monthly bill would increase \$14.52, or 17.7 percent, from \$82.06 to \$96.58.

The Company has also proposed a low income tariff under which residential customers meeting the qualifications to participate would receive a 25 percent discount off their sewer bill. Under the Company's proposal the costs of the low income program would be recovered from non-participating residential customers in the form of a surcharge. The amount of the proposed surcharge would depend on the number of low income participants and is proposed to be re-calculated every six months.

If you have any questions concerning how the Company's rate proposal would affect your bill or have other substantive questions about this application, you may contact the Company at: CORONADO UTILITIES, INC., 6825 E. TENNESSEE AVENUE, SUITE 547, DENVER CO 80224; 1-866-681-0148; or general@pivotalcompanies.com.

The Commission's Utilities Division Staff has not yet made a recommendation regarding the Company's rate increase proposal, and the Commission will determine the appropriate rate relief to be granted based on the evidence of record in this proceeding. The Commission is not bound by the proposals made by the Company, Staff, or any intervenors and, therefore, the final rates approved in this docket may be lower or higher than the rates described above.

#### How You Can View or Obtain a Copy of the Rate Proposal

Copies of the application and proposed rates are available from Coronado by mail to Coronado Utilities, Inc., 6825 E. Tennessee Avenue, Suite 547, Denver, CO 80224, by telephone at 1-866-681-0148, or by email to general@pivotalcompanies.com, and at the Commission's Docket Control Center at 1200 West Washington, Phoenix, Arizona, and in its Tucson office, 400 West Congress, Room

218, Tucson, Arizona for public inspection during regular business hours and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function.

#### Arizona Corporation Commission Public Hearing Information

The Commission will hold a hearing on this matter beginning March 23, 2010, at 10:00 a.m., at the Commission's offices, Hearing Room 222, 400 West Congress Street, Tucson, Arizona. Public comments will be taken at the beginning of the first day of the hearing. Written public comments may also be submitted by mailing a letter referencing Docket No. SW-04305A-09-0291 to Arizona Corporation Commission, Consumer Services Section, 1200 West Washington, Phoenix AZ 85007, or by email. For a form to use and instructions on how to email comments to the Commission, go to <a href="http://www.azcc.gov/divisions/utilities/forms/public\_comment.pdf">http://www.azcc.gov/divisions/utilities/forms/public\_comment.pdf</a>. If you require assistance, you may contact the Consumer Services Section at 1-800-222-7000, or 520-628-6550.

#### **About Intervention**

The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion to intervene with the Commission no later than December 31, 2009, and send a copy of the motion to Coronado or its counsel and to all parties of record. Your motion to intervene must contain the following:

- 1. Your name, address, and telephone number, and the name, address and telephone number of any party upon whom service of documents is to be made, if not yourself;
- 2. A short statement of your interest in the proceeding (e.g., a customer of Coronado, a shareholder of Coronado, etc.); and
- 3. A statement certifying that you have mailed a copy of the motion to intervene to Coronado or its counsel and to all parties of record in the case.

The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that <u>all motions to intervene must</u> be filed on or before December 31, 2009. If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to represent the intervenor. For information about requesting intervention, visit the Commission's website at <a href="http://www.azcc.gov/divisions/utilities/forms/interven.pdf">http://www.azcc.gov/divisions/utilities/forms/interven.pdf</a>. The granting of intervention, among other things, entitles a party to present sworn evidence at hearing and to cross-examine other witnesses. <a href="However, failure to intervene will not preclude any interested person or entity from appearing at the hearing and providing public comment on the application or from filing written comments in the record of the case.

#### **ADA/Equal Access Information**

The Commission does not discriminate on the basis of disability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language interpreter, as well as request this document in an alternative format, by contacting the ADA Coordinator, Guadalupe Ortiz, e-mail <a href="mailto:gnortiz@azcc.gov">gnortiz@azcc.gov</a>, voice phone number 602/542-3931. Requests should be made as early as possible to allow time to arrange the accommodation.

# Exhibit 2

Batch Count less terminated customers 1265 total

Funds Report

Available: \$319.206 Used: \$14619.794

Total Pieces: 39256

Control Sum: \$14939.000

Batch Value: \$523.736 Batch Count: 1265

PBP Serial Number: 3091093

## Exhibit B

### State Of Arizona County Of Pinal

#### AFFIDAVIT OF PUBLICATION

James Carnes being first duly sworn deposes and says that he is one of the publishers of the San Manuel Miner, a legal newspaper published weekly at San Manuel, in the county of Pinal, State Of Arizona that the THE HEARING ON legal entitled. **CORONADO** OF APPLICATION **RATE FOR** UTILITIES, INC. FOR SEWER **SERVICE** INCREASE (DOCKET NO. SW-04305A-09-0291. Printed copy of which is hereto attached, has been or will be published in all the regular weekly editions of said newspaper (and not a supplement thereof) for ONE Week the date of publication being as follows, to-wit:

First publication 9-16-09

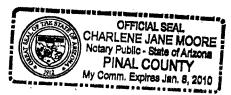
Publisher

Subscribed and sworn to before me this

Kames Comes

16th DAY OF SEPTEMBER, 2009

Charlene Jone Moore
Notary Public



#### **Public Notice**

PUBLIC NOTICE OF HEARING ON THE AP TION OF CORONADO UTILITIES, INC., FOR A RAJ INCREASE FOR SEWER SERVICE (DOCKET & SW-04305A-09-0291) Summary On June 3, 2008, Con nado Utilities, inc. ("Coronado" or "Company") Sled will the Arizone Corporation Commission ("Commission") application for an increase in revenues for sewer service application for an increase in revenues for sewer service, in the above-captioned docket. Coronado is requesting an increase in its sewer utility revenues of \$156.498, eminorease of \$17.71 percent. Coronado is proposing to increase the Residential rate from \$46.50 per month to \$54.73 per month, an increase of \$8.23, or 17.6 percent. The Company's proposed rates for its Commercial, Mobile Home and School customer classes include a monthly cistomer charge and is charged to the second control of the company of the company's proposed rates for its Commercial, Mobile Home and School customer classes include a monthly cistomer charge and is charged to the control of the company of the company of the control of the company nome and School customer classes include a monthly customer charge and a charge based on the volume of water used. The Company proposes to increase both the monthly charge and the volumetric charge for each of these customer classes, and the effect on an individual customer will depend on usage. As an example, the Company estimates that for a commercial customer using an average of 7.608 gallons, the monthly bill would increase; \$14.52, or 17.7 percent; from \$2.06 to \$86.58. The Company has also proposed a late increase and the second control of the company has also proposed a late increase and the second control of the company has also proposed a late increase and the second control of the company has also proposed a late increase and the control of the company has also proposed a late increase and the control of the company has also proposed a late increase and the control of 314.3.2, of 71.7 percent; from 582.0 to \$96.58. The Configurary has also proposed a low income tariff under which residential customers meeting the qualifications to participate would receive a 25 percent discount off their sewer bill. Under the Company's proposal the costs of the low income program would be recovered from non-participating residential customers in the form of a surcharge. The amount of the proposed surcharge would depend on the number of low income participants and is proposed to be recarbituded aways or profile. Here he proposed surcharges would respect to the proposed surcharge would be proposed to the proposed surcharge would be also the proposed surcharge to the proposed surcharge the proposed su amount of the proposed surcharge would depend on the number of low income participants and is proposed to be re-calculated every six months. If you have any questions concerning how the Company's rate proposal would affect your bill or have other substantive questions about this application, you may contact the Company at: CORONADO UTILITIES, INC., 6825 E. TENNESSEE AVENUE, SUITE-547. DENVER CO 80224; 1-866-681-0148; or general@pivotalcompanies.com. The Commission's Utilities Division Staff has not yet made a recommendation regarding the Company's rate increase proposal, and the Commission will determine the appropriate rate relief to be granted based on the evidence of record in this proceeding. The Commission is not bound by the proposals made by the Company, Staff, or any intervenors and, therefore, the final rates approved in this docket may be lower or higher than the rates described above. How You Can View or Obtain a Copy of the Rate Proposal Copies of the application and proposed rates are available from Coronadd, by mail to Coronado Utilities, Inc., 6825 E. Tennessee, Venue, Suite 547, Denver, CO 80224, by telephone at 1-866-681-0148, or by email to general@pivotalcompanies.com, and at the Commission's booked Control Center, at 1200 West Washington, Phoenk, Artzona, and in life Tucson office, 400 West Congress, Room 218, Tucson, Artzona for public inspection during regular business hours and on the Internet via the Commission's website (www.azcc.gov) using the e-Docket function. Artzona Corporation Commission Public Hagaring Information (www.azc.gov) using the e-Docket function. Arizona:
Corporation Commission Public Hearing Information,
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offices, Hearing Room 222, 400 West Congress Street,
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The law provides for an open public hearing at which, under appropriate circumstances, interested parties may intervene. Any person or entity entitled by law to intervene and having a direct and substantial interest in the matter. will be permitted to intervene. If you wish to intervene, you must file an original and 13 copies of a written motion, to intervene with the Commission no later than December to intervene with the Commission no later than December, 31, 2009, and send a copy of the motion to Coronado or its counsel and to all parties of record. Your motion to intervene must contain the following. Your name, address, and sleephone number, and the name, address, and sleephone number of any party upon whom service of documents is to be made, if not yourself, A short statement of your interest in the proceeding (e.g., a customer of Coronado, e.g. shareholder of Coronado, etc.); and A statement certifying that you have mailed a sonor of the motion to intervene. that you have mailed a copy of the motion to Intervene to Coronado or its coursel and to all parties of record in the case. The granting of motions to intervene shall be governed by A.A.C. R14-3-105, except that all motions to intervene must be filed on or before December 31, 2009. "Thervene must be filled on or before December 31, 2009. "If representation by counsel is required by Rule 31 of the Rules of the Arizona Supreme Court, intervention will be conditioned upon the intervenor obtaining counsel to rep-resent the intervenor. For information about requesting intervention, visit the Commission's website at http://www. azoc.gov/dhvisiona/utilities/forms/interven.pdf. The grant-ing of intervention, among other things, entities a party to present swom evidence at hearing and to cross-examine other withesess. However, failure to intervene will not pre-clude any interrested person or entity from appaging at the other witnesses. However, failure to intervene will not pre-clude any interested person or entity from appearing at the hearing and providing public comment on the application or from filling written comments in the record of the case. ADA/Equal Access Information The Commission does not discriminate on the basis of cisability in admission to its public meetings. Persons with a disability may request a reasonable accommodation such as a sign language haldproter, as well as request this document in an alterna-five format, by contacting the ADA Coordinator, Gueda-uge Ortiz, e-mail gnorttz@azcc.gov, voice phone number 802/542-3931. Requests should be made as early as pos-sable to allow time to arrange the accommodation. ble to allow time to arrange the accommodation.